

U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street, 3<sup>rd</sup> Floor  
New York, New York 10007

January 7, 2008

**VIA HAND DELIVERY**

The Honorable Laura Taylor Swain  
United States District Judge  
Southern District of New York  
500 Pearl St., Room 755  
New York, NY 10007

Re: Zidani v. Chertoff, et al.  
07 Civ. 8693 (LTS)

I  
IT IS ORDERED that to whom this Memo  
is directed is to provide for faxing or  
other delivery by a copy to all counsel  
and filing a certificate of  
service from the date hereof. Do  
not deliver this to Chambers.

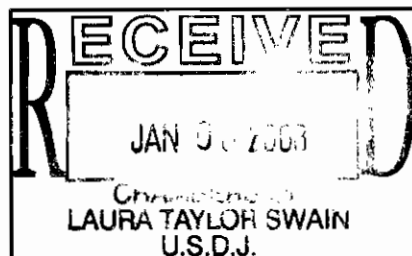
Dear Judge Swain:

This Office represents the defendants, Michael Chertoff, Secretary of the Department of Homeland Security, Eduardo Aguirre, Director of the United States Citizen and Immigration Services ("USCIS"), Andrea Quarantillo, New York District Director of USCIS, and Michael Mukasey, Attorney General of the United States (collectively, the "Government"), in the above-referenced mandamus proceeding. Plaintiff seeks to compel adjudication of her I-485 Application for Permanent Residence, which is based on her marriage to a United States citizen.

At this time, this Office has been advised by USCIS that Plaintiff Zidani appeared on November 16, 2007, for her interview without her husband. Her interview was rescheduled for December 4, 2007, at which time she again appeared without her husband. On or about December 4, 2007, Plaintiff filed a self-petition Form I-360 as a Violence Against Women Act ("VAWA") applicant, alleging abuse by her husband. Once the Form I-360 is adjudicated, Plaintiff's adjustment of status will also be adjudicated.

As a result, the Government respectfully requests a second extension of time to respond to Plaintiff's Complaint until March 10, 2008, to enable this Office to better determine the status of Plaintiff's recently-filed I-360 application, and to attempt to expedite a decision on this new application so as to avoid the need for further litigation. Plaintiff consents to this extension.

Copies ~~sent~~ faxed to Def't's Counsel  
Chambers of Judge Swain 1-22-08




Thank you for your consideration of this request.

Respectfully requested,

MICHAEL J. GARCIA  
United States Attorney  
Southern District of New York

By:

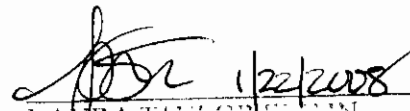
  
CAROLINA A. FORNOS  
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cc: **Via Email and First Class Mail**

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*The request is granted.*

SO ORDERED.

  
LAURA TAYLOR  
UNITED STATES DISTRICT JUDGE